United Nations A/54/L.32

General Assembly

Distr.: Limited
17 November 1999

Original: English

Fifty-fourth session
Agenda item 40 (c)
Oceans and the law of the sea: results of the review by the Commission on Sustainable Development of the sectoral theme of "oceans and seas"

Argentina, Australia, Bolivia, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, Fiji, Guatemala, Israel, Lesotho, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Namibia, New Zealand, Nigeria, Palau, Papua New Guinea, Paraguay, Samoa, Solomon Islands, South Africa, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, United States of America, Uruguay and Vanuatu: draft resolution

Results of the review by the Commission on Sustainable Development of the sectoral theme of "oceans and seas": international coordination and cooperation

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994 on the Law of the Sea and 53/32 of 24 November 1998 on oceans and the law of the sea,

Mindful of the importance of the oceans and seas for the earth's ecosystem and for providing the vital resources for food security and for sustaining economic prosperity and the well-being of present and future generations,

Convinced that all aspects of oceans and seas are closely interrelated and need to be considered as a whole,

Recalling that the United Nations Convention on the Law of the Sea[1] ("the Convention") sets out the legal framework within which all activities in the oceans and seas must be carried out, and with which these activities should be consistent, as recognized also

[1] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

99-35130 (E) 171199

by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[2]

Recognizing the importance of maintaining the integrity of the Convention,

Convinced of the importance of the annual consideration and review of ocean affairs and the law of the sea by the General Assembly, as the global institution having the competence to undertake such a review,

Convinced also of the need, building on existing arrangements, for an integrated approach to all legal, economic, social, environmental and other relevant aspects of oceans and seas and the need to improve coordination and cooperation at both the intergovernmental and inter-agency levels,

Bearing in mind the necessity of strengthening existing structures and mandates within the United Nations system and the need to avoid duplication or overlapping of debates that take place in other forums,

Recognizing the important role that international organizations have in relation to ocean affairs and in promoting sustainable development of the oceans and seas and their resources,

Recognizing also the significant contribution that major groups, as identified in Agenda 21, can make to this goal,

Welcoming the review of the sectoral theme of "oceans and seas" by the Commission on Sustainable Development, in particular those aspects related to international coordination and cooperation,

1. *Endorses* the recommendations made by the Commission on Sustainable Development through the Economic and Social Council under the sectoral theme of "oceans and seas" regarding international coordination and cooperation;[3]

2. *Decides*, consistent with the legal framework provided by the United Nations Convention on the Law of the Sea and the goals of chapter 17 of Agenda 21, to establish an open-ended informal consultative process in order to facilitate the annual review by the General Assembly, in an effective and constructive manner, of developments in ocean affairs by considering the Secretary-General's report on oceans and the law of the sea and by suggesting particular issues to be considered by it, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced;

3. *Also decides* that the meetings within the framework of the consultative process will be organized as follows:

(a) The meetings will be open to all States Members of the United Nations, States members of the specialized agencies, all parties to the Convention, entities that have received a standing invitation to participate as observers in the work of the General

[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[3] See *Official Records of the Economic and Social Council, 1999, Supplement No. 9* (E/1999/29), chap. I, sect. C, decision 7/1, paras. 37-45.

Assembly pursuant to its relevant resolutions,[1] and intergovernmental organizations with competence in ocean affairs;

(b) The meetings will take place for one week each year and in 2000 will be held from 30 May to 2 June;

(c) The meetings will deliberate on the Secretary-General's report on oceans and the law of the sea, with due account given to any particular resolution or decision of the General Assembly, any relevant special reports of the Secretary-General and any relevant recommendations of the Commission on Sustainable Development;

(d) The meetings should, in identifying areas where coordination and cooperation are to be enhanced, bear in mind the differing characteristics and needs of the different regions of the world, and should not pursue legal or juridical coordination among the different legal instruments;

(e) The meetings will be coordinated by two co-chairpersons, who will be appointed by the President of the General Assembly, in consultation with Member States and taking into account the need for representation from developed and developing countries;

(f) The co-chairpersons will elaborate, in consultation with delegations, a format for the discussions that best facilitates the work of the consultative process, in accordance with the rules of procedure and practices of the General Assembly;

(g) In accordance with the rules of procedure and practices of the General Assembly, the format of this informal consultative process should ensure the opportunity to receive inputs from representatives of the major groups as identified in Agenda 21, in particular through the organization of discussion panels;

(h) The meetings may propose elements for the consideration of the General Assembly, including, as appropriate, in relation to Assembly resolutions under the agenda item entitled "Oceans and the law of the sea";

3. *Further decides* to review the effectiveness and utility of the consultative process at its fifty-seventh session;

4. *Highlights* the importance of the participation of developing countries, including least developed countries and small island developing States, in the consultative process, and encourages States and international organizations to support efforts in this regard;

5. *Requests* the Secretary-General to provide the consultative process with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea, in cooperation with other relevant parts of the Secretariat, including the Division for Sustainable Development of the Department of Economic and Social Affairs, as appropriate;

6. *Also requests* the Secretary-General, working in cooperation with the heads of relevant organizations of the United Nations, to include in his annual comprehensive report to the General Assembly on oceans and the law of the sea, suggestions on initiatives that could be undertaken to improve coordination and cooperation and achieve better integration on ocean affairs, and further requests the Secretary-General to make the report available at least six weeks in advance of the meeting of the consultative process.

[1] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3269 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/40, 52/6, 53/5, 53/6, 54/5 and 54/10.

8. *Further requests* the Secretary-General, working through appropriate United Nations bodies and in cooperation with the heads of relevant organizations, funds or programmes of the United Nations, to undertake measures aimed at:

(a) Ensuring more effective collaboration and coordination between relevant parts of the United Nations Secretariat and the United Nations system as a whole on ocean affairs and the law of the sea;

(b) Improving the effectiveness, transparency and responsiveness of the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination and to include information on progress in this regard in his next report on oceans and the law of the sea;

9. *Notes* the importance of coordination and cooperation at the national level in order to promote an integrated approach on ocean affairs, so as, *inter alia*, to facilitate the effective participation of States in the consultative process and other international forums;

10. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, and the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination, and underlines the importance of their participation in the consultative process and of their inputs to the report of the Secretary-General on oceans and the law of the sea;

11. *Invites* Member States, as part of their participation in relevant competent bodies of intergovernmental organizations engaged in activities relating to ocean affairs and the law of the sea, to encourage their participation in the consultative process and their contribution to the report of the Secretary-General on oceans and the law of the sea.